



Village of Bayside
9075 N Regent Rd
September 13, 2023
Village Hall Board Room, 4:00 pm

BOARD OF ZONING APPEALS AGENDA

PLEASE TAKE NOTICE the meeting of the Village of Bayside Board of Zoning Appeals will be held at Bayside Village Hall, 9075 North Regent Road, Bayside, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon.

I. CALL TO ORDER AND ROLL CALL

II. APPROVAL OF MINUTES

- A. July 18, 2023, Board of Zoning Appeals meeting.

III. PUBLIC HEARING

- A. The purpose of the public hearing is to consider the request for a special exception by Kyle Maier for a detached garage at the property located at 626 W Fairy Chasm Road, contrary to Section 125-3(e).
- B. The purpose of the public hearing is to consider the request for a special exception by North Shore Fire Department for a fence at the property located at 665 E Brown Deer Road, contrary to Section 104-125(8).

IV. BUSINESS

- A. Discussion/recommendation on the request for a special exception by Kyle Maier for a detached garage at the property located at 626 W Fairy Chasm Road, contrary to Section 125-3(e).
- B. Discussion/recommendation on the request for a special exception by North Shore Fire Department for a fence at the property located at 665 E Brown Deer Road, contrary to Section 104-125(8).
- C. Discussion/action on the notice of appeal from Fox Point-Bayside School District of Village of Bayside Architectural Review Committee Decision of June 19, 2023.
- D. Discussion/action on the notice of appeal from Fox Point-Bayside School District of Village of Bayside Architectural Review Committee Decision of July 31, 2023 pursuant to Wis. Stat. s. 62.23(7)(e)4.

VI. ADJOURNMENT

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at 414-206-3915. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Board of Trustees may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.baysidewi.gov)



Village of Bayside
9075 N Regent Rd
July 18, 2023
Village Hall Board Room, 5:00 pm

BOARD OF ZONING APPEALS MEETING MINUTES

I. CALL TO ORDER AND ROLL CALL

Chairperson Dickman called the meeting to order at 5:00pm.

Chair: Max Dickman
Members: Amy Krier
Ben Minkin
Bob Rudman – Excused
Tom Houck
Jolena Presti – 1st Alternate

Also Present: Village Manager Andy Pederson
Assistant Village Manager Leah Hofer
Village Attorney Chris Jaekels
Police Chief Tom Liebenthal
Village Engineer Mustafa Emir

There were 9 people in the audience.

II. APPROVAL OF MINUTES

A. September 22, 2022, Board of Zoning Appeals Meeting minutes.

Motion by Committee Member Houck, seconded by Committee Member Minkin to approve the September 22, 2022, Board of Zoning Appeals meeting minutes.

III. PUBLIC HEARING

A. The purpose of the public hearing is to consider the request for a special exception by Fox Point-Bayside Middle School for the property located at 601 E Ellsworth Ln for:

- Unenclosed Storage contrary to Section 32-48(9-10)
- Unenclosed Storage contrary to Section 32-48(12)
- Fences contrary to Section 104-125 a)(8)(b), a)(8)(d), and a)(9)
- Impervious Surface contrary to Section 125-3(g)(2)
- Right-of-Way Plantings contrary to Section 41-2(a)
- Temporary Signs contrary to Section 116-8

1. Public Discussion

School District Attorney Andy Phillips introduced the items the School District is requesting a special exception. School District Owners Representative, Jordan Schulz, presented a presentation to the Board outlining the specific needs for each item.

Residents Caryl Zaar, 8936 North King Road; Julie Wood, 8935 North Maitland Road; and Marty

Thau, 8963 North King Road, spoke at the meeting.

Public hearing closed at 5:49pm.

2. Board Discussion

The Board stated their understanding for the need for the items requesting special exception and discussed the findings associated with each request.

IV. BUSINESS

- A. Discussion/recommendation on the request for a special exception by Fox Point-Bayside Middle School for the property located at 601 E Ellsworth Ln for:
- Unenclosed Storage contrary to Section 32-48(9-10)
 - Unenclosed Storage contrary to Section 32-48(12)
 - Fences contrary to Section 104-125 a)(8)(b), a)(8)(d), and a)(9)
 - Impervious Surface contrary to Section 125-3(g)(2)
 - Right-of-Way Plantings contrary to Section 41-2(a)
 - Temporary Signs contrary to Section 116-8

Motion by Committee Member Houck, seconded by Committee Member Minkin to recommend the special exception for unenclosed storage contrary to Section 32-48(9-10) to the Board of Trustees. Motion carried unanimously.

Motion by Committee Member Houck, seconded by Committee Member Presti to recommend the special exception for unenclosed storage contrary to Section 32-48(12) to the Board of Trustees. Motion carried unanimously.

Motion by Committee Member Houck, seconded by Committee Member Minkin to recommend the special exception for fences contrary to Section 104-125 a)(8)(b), a)(8)(d), and a)(9) with the addition of a special exception for placing the solid cedar fence within 10 feet of the property line, to be located 2 feet from the property line, to the Board of Trustees. Motion carried unanimously.

Motion by Committee Member Houck, seconded by Committee Member Presti to recommend the special exception for impervious surface contrary to Section 125-3(g)(2) to the Board of Trustees. Motion carried unanimously.

Motion by Committee Member Minkin, seconded by Committee Member Houck to recommend the special exception for right-of-way plantings contrary to Section 41-2(a) to the Board of Trustees. Motion carried unanimously.

Motion by Committee Member Minkin, seconded by Committee Member Houck to recommend the special exception for temporary signs contrary to Section 116-8 to the Board of Trustees. Motion carried unanimously.

VI. ADJOURNMENT

Motion by Committee Member Minkin, seconded by Committee Member Houck to adjourn the meeting at 5:54pm. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

In the matter of a request for special exception by Kyle Maier for a detached garage at the property located at 626 W Fairy Chasm Road, contrary to Section 125-3(e).

PLEASE TAKE NOTICE that a public hearing will be held before the Board of Zoning Appeals of the Village of Bayside on September 13, 2023 at 4:00 p.m. at the Village Hall, 9075 N. Regent Road, Bayside, WI 53217. The purpose of the public hearing is to consider:

The request for a special exception by Kyle Maier for a detached garage at the property located at 626 W Fairy Chasm Road, contrary to Section 125-3(e).

PLEASE TAKE FURTHER NOTICE that at such time and place, all interested parties will be heard.

DATED this twenty-third day of August 2023.



Rachel A. Safstrom
Administrative Services Director

NOTICE OF PUBLIC HEARING

In the matter of a request for special exception by North Shore Fire Department for a fence at the property located at 665 E Brown Deer Road, contrary to Section 104-125(8).

PLEASE TAKE NOTICE that a public hearing will be held before the Board of Zoning Appeals of the Village of Bayside on September 13, 2023 at 4:00 p.m. at the Village Hall, 9075 N. Regent Road, Bayside, WI 53217. The purpose of the public hearing is to consider:

The request for a special exception by North Shore Fire Department for a fence at the property located at 665 E Brown Deer Road, contrary to Section 104-125(8).

PLEASE TAKE FURTHER NOTICE that at such time and place, all interested parties will be heard.

DATED this twenty-third day of August 2023.



Rachel A. Safstrom
Administrative Services Director



**Application for Appearance before the
Board of Appeals**

Owner's Name Kyle MAIER

Property Address 626 W FAIRY CHASM RD

Telephone 608-577-1909

Email Kyle M2315 @ GMAIL.COM

Proposed project details (type of work, size, materials, etc.):

TWO CAR DETACHED GARAGE 22 X 28

LP SMART SIDE, ASPHALT SHINGLE ROOF, COLOR TO MATCH

EXISTING HOUSE TRIM TRIM

Fee: \$500.00 pd 8/4/23



APPLICATION FOR SPECIAL EXCEPTION TO ZONING CODE REQUIREMENTS

The Board of Appeals, pursuant to Wis. Stats. 62.23(7)(e), and, Section 125-57(e) of the Zoning Ordinance, and after appropriate notice and hearing, may, with regard to any requirement imposed by the Zoning Ordinance, or any other section of the Municipal Code which specifically allows for special exceptions, recommend a special exception to the Village Board for approval. Notice of application for special exception shall be provided to all property owners adjoining or abutting the property proposed for a special exception. Denials of special exceptions shall not be appeal able to the Village Board.

- 1. State the section of the Village of Bayside Municipal Code for which you are requesting a special exception:.

CHAPTER 125, SECTION 125-3(e)

- 2. Give a brief description of what you want to do and why.

OUR CURRENT HOUSE HAS A ONE CAR ATTACHED GARAGE, THAT IS VISIBLE AND ACCESSIBLE ONLY FROM THE BACK SIDE OF THE HOUSE. BECAUSE OF THE ENTRY LOCATION, YOU HAVE TO THREE POINT TURN TO ACCESS. THE HOUSE + GARAGE WERE BUILT IN 1946, AND THE SIZE OF THE EXISTING
(SEE BACK)

- 3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacts the use of the property.

DETACHING THE GARAGE AND SETTING IT BACK FROM THE HOME WILL HELP MAINTAIN THE ORIGINAL ARCHITECTURE + OVERALL INTEGRITY OF THE PROPERTY.
(SEE BACK)

- 4. State how the Special Exception requested, including any proposed restrictions, will be consistent with the existing character of the neighborhood; will not effectively undermine the application or enforcement of the Code to other properties; and will be in harmony with the purpose and intent of the Code.

THE PROPOSED GARAGE WILL SIT BEHIND THE HOUSE, WHICH IS ALREADY SET BACK APPROX. 100' FROM FAIRY CHASM RD. THE NEW GARAGE WILL BARELY BE
(SEE BACK)

Applicant Printed Name

Applicant Signature

Date

Kyle MATER

8/1/23



626 W FAIRY CHASM RD

Plot of Survey

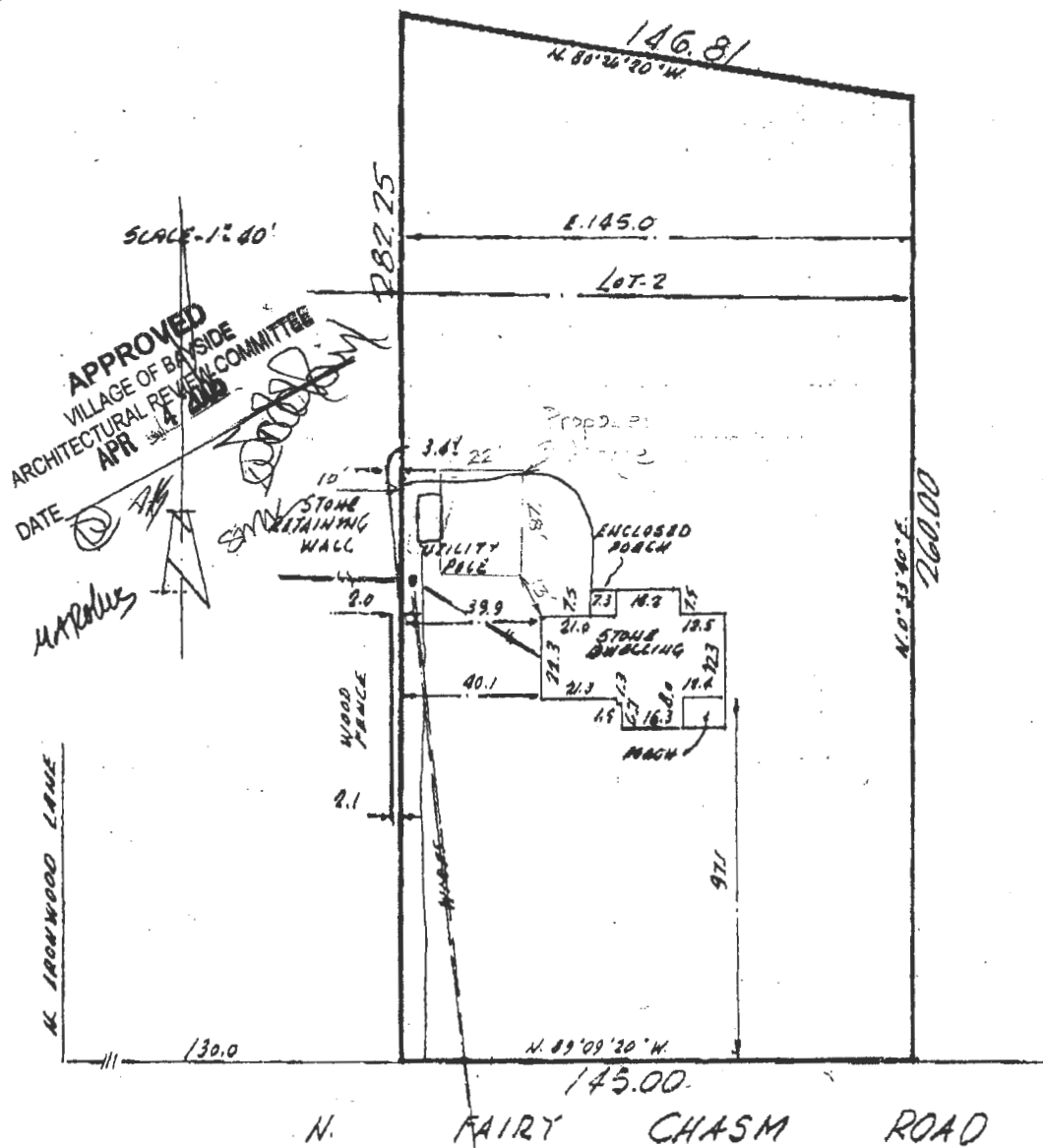
KNOWN AS 626 WEST FAIRY CHASM ROAD, IN THE VILLAGE OF BAYSIDE, WISCONSIN. THE EAST 145.00 FT. OF LOT 2 IN BLOCK 2 IN FAIRY CHASM ESTATES, BEING A SUBDIVISION OF A PART OF THE NE 1/4 AND THE NW 1/4 OF SECTION 5, T 8 N, R 22 E, IN THE VILLAGE OF BAYSIDE, MILWAUKEE COUNTY, WISCONSIN.

AUGUST 10, 1987

ERENT AND MARY LAGERGREN

SURVEY NO. 73876-M

NOTE: AN AGREEMENT HAS BEEN REACHED BETWEEN CENTRAL MORTGAGE COMPANY AND KENNETH E BERKE TO OMIT THE SETTING OF MONUMENTS ON PROPERTY CORNERS.



I Certify that I have surveyed the above described property (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements and roadways and visible encroachments, if any. This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

Kenneth E. Burke
SURVEYOR



VIEWS FROM FAIRY CHASM RD (GOOGLE MAPS)



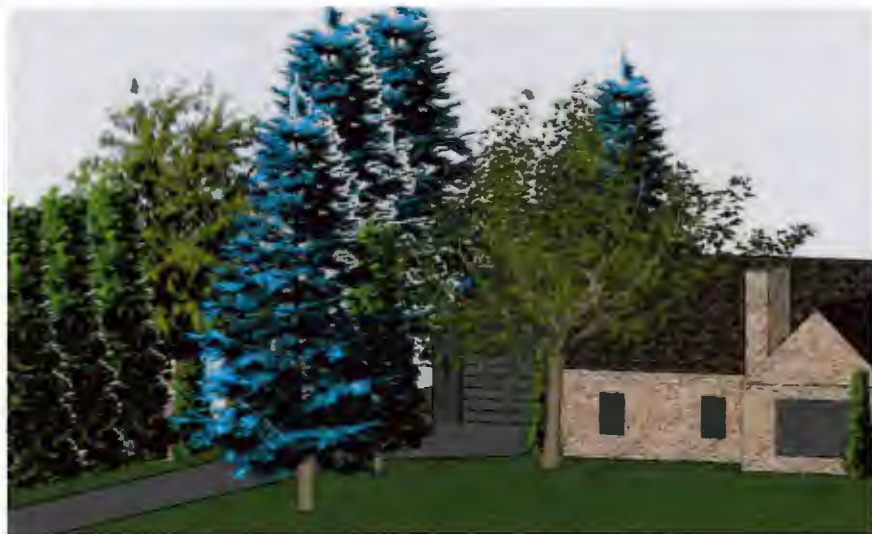
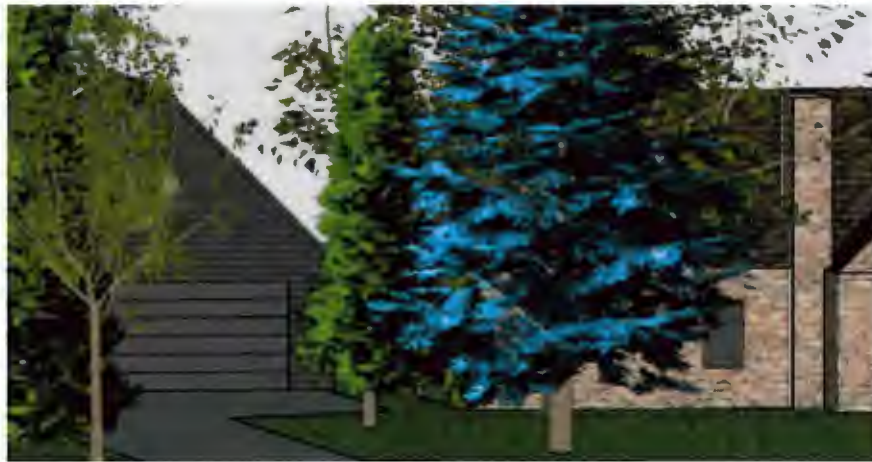
VIEWS FROM IRONWOOD RD (GOOGLE MAPS)



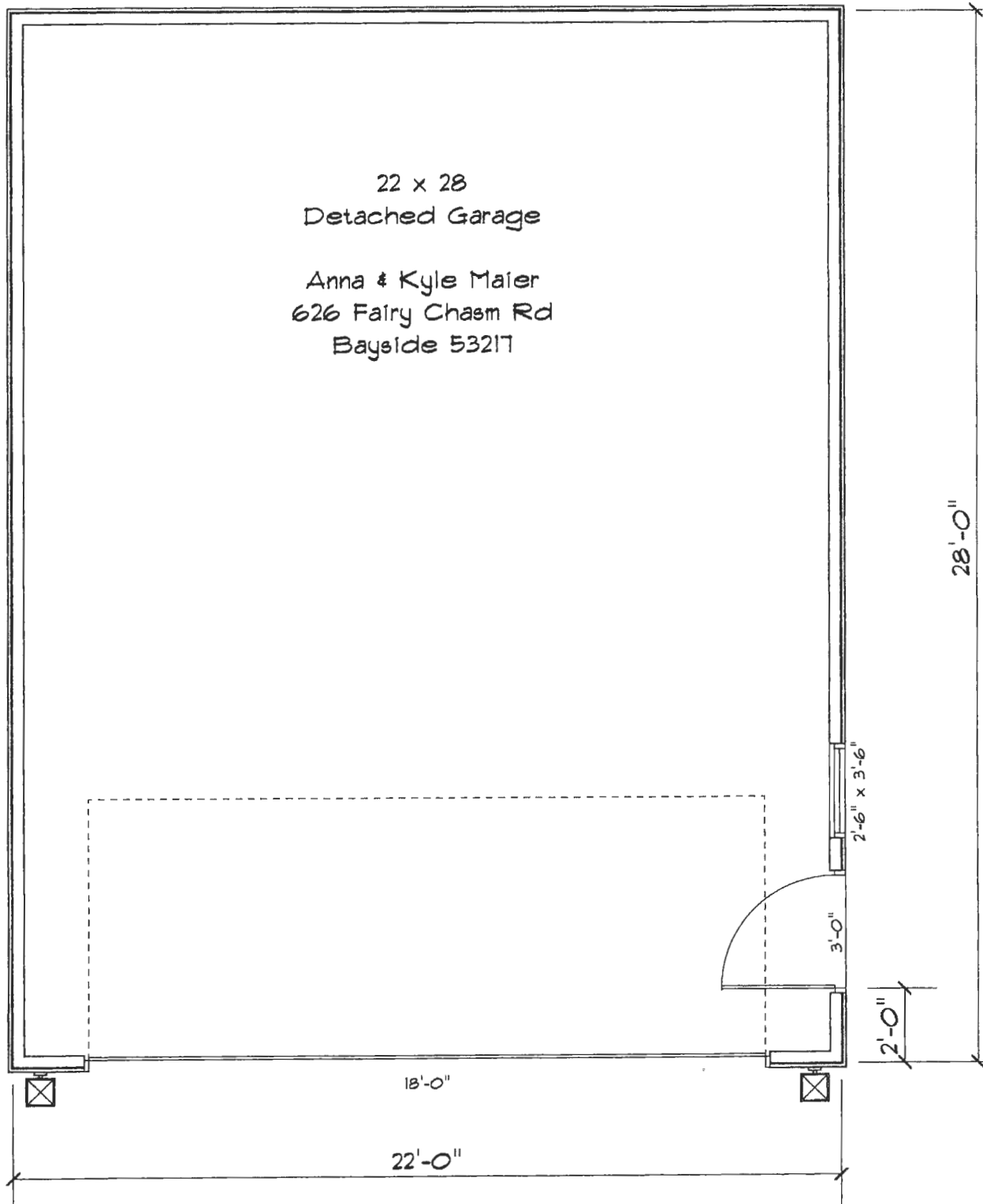
VIEW FROM FAIRY CHASM RD (TODAY)



VIEW FROM IRONWOOD RD (TODAY)



RENDERINGS

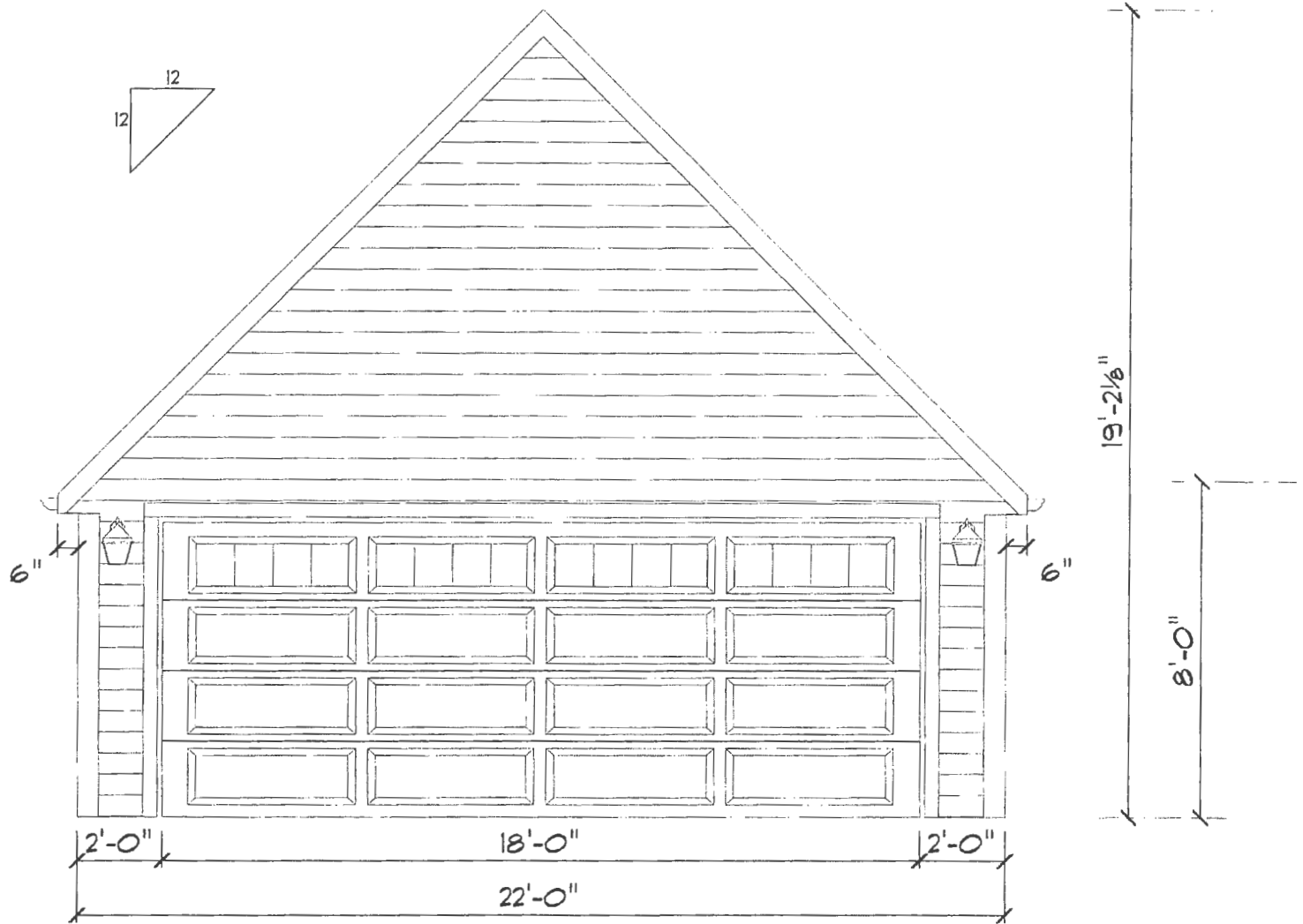


18 x 7
Overhead Door
w/ Madison Windows -
Bronze

6" LP Siding -
Urban Bronze

LP Soffit/Fascia &
Door Trim -
Urban Bronze

Seamless Gutters -
Terra Bronze



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

Dimensional
Shingles -
Brownwood

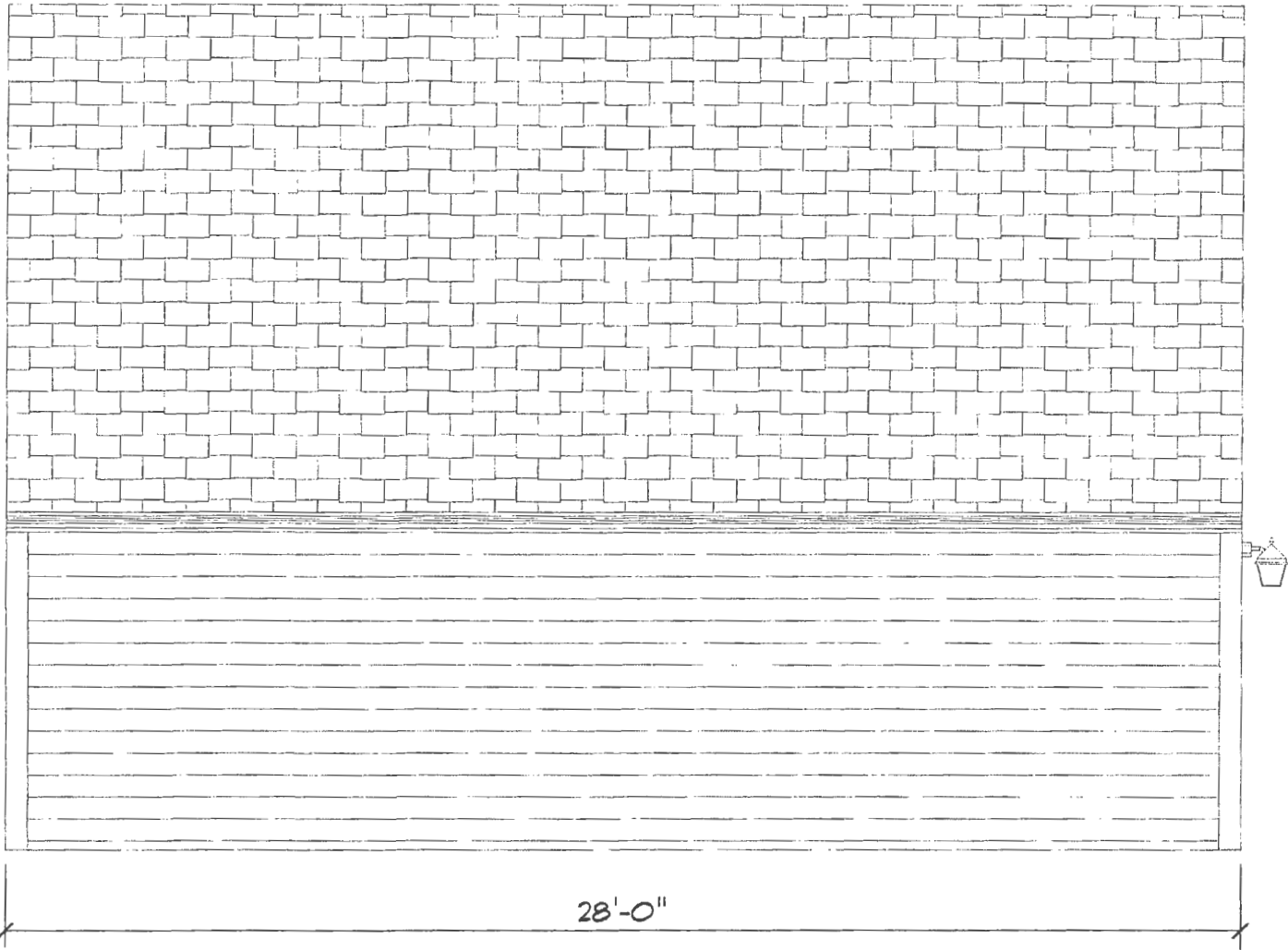
36" Fiberglass
Service Door

30x42
Single-Hung
Window -
Bronze



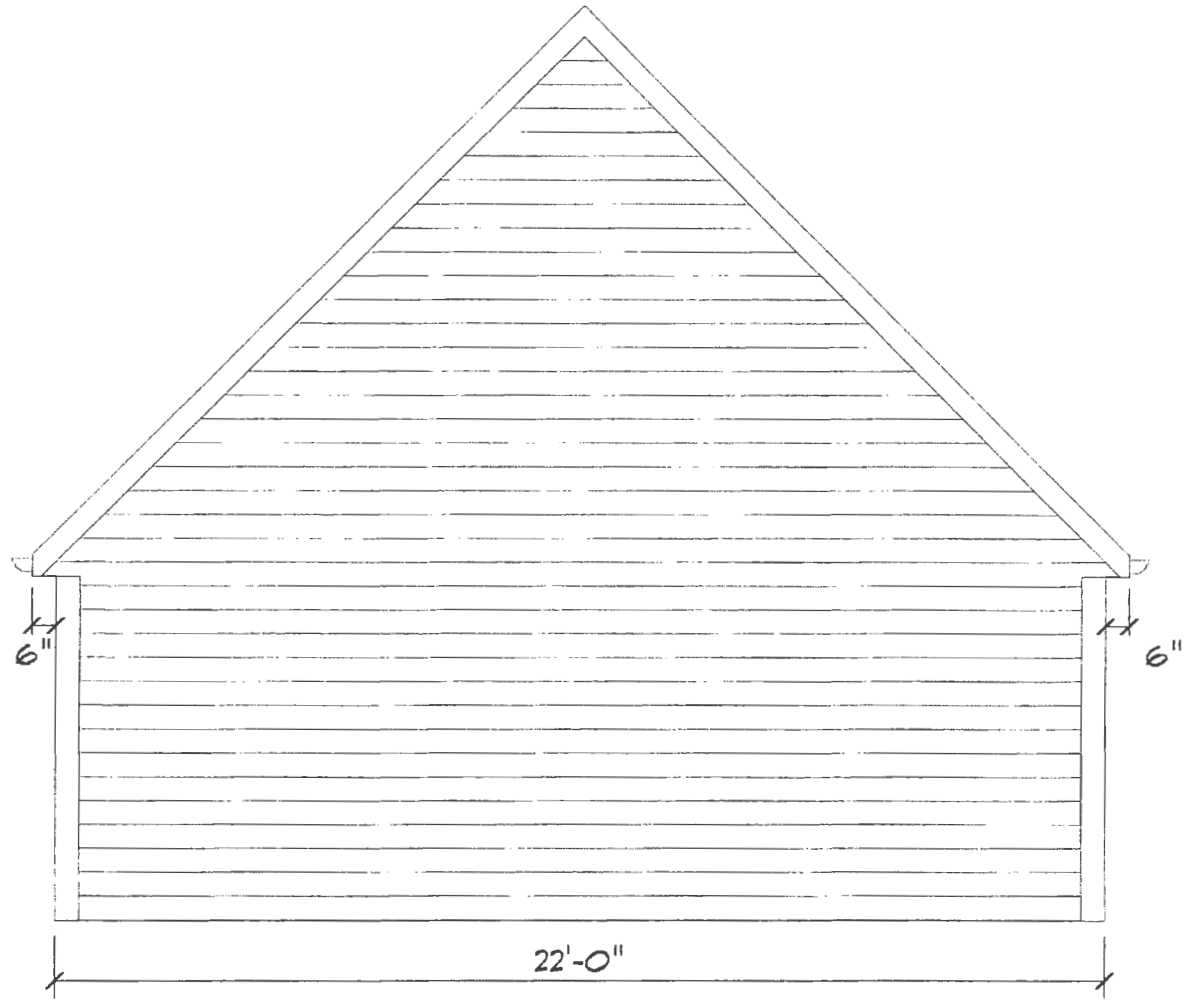
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

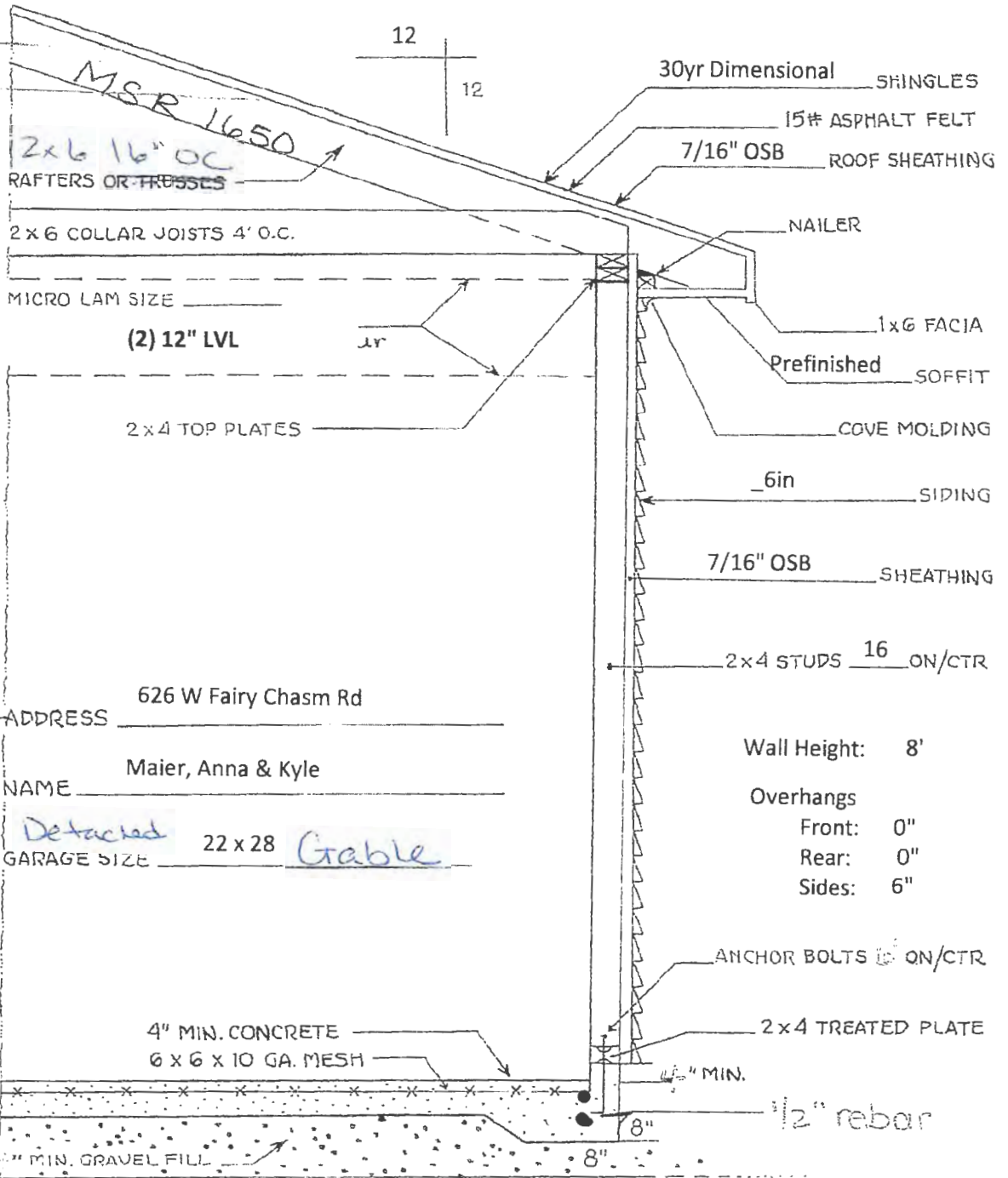
SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

Collar joist
in upper 1/3
of rafter
1x6



ADDRESS 626 W Fairy Chasm Rd
NAME Maier, Anna & Kyle
GARAGE SIZE Detached 22 x 28 Gable

Wall Height: 8'
Overhangs
Front: 0"
Rear: 0"
Sides: 6"

Window
Headers:
2-Ply 2x6



Application for Appearance before the Board of Appeals

Owner's Name	North Shore Fire Department
Property Address	665 E. Brown Deer Rd.
Telephone	(414) 448-6277
Email	rwhitaker@nsfire.org

Proposed project details (type of work, size, materials, etc.) Install 9' composite wood fence/
screening between the property at 711 E. Brown Deer Rd. and 665 E. Brown Deer Rd. Approx. 75 feet
distance from SW corner of 711 E. Brown Deer Rd.

Fee: \$500.00



APPLICATION FOR SPECIAL EXCEPTION TO ZONING CODE REQUIREMENTS

The Board of Appeals, pursuant to Wis. Stats. 62.23(7)(e), and, Section 125-57(e) of the Zoning Ordinance, and after appropriate notice and hearing, may, with regard to any requirement imposed by the Zoning Ordinance, or any other section of the Municipal Code which specifically allows for special exceptions, recommend a special exception to the Village Board for approval. Notice of application for special exception shall be provided to all property owners adjoining or abutting the property proposed for a special exception. Denials of special exceptions shall not be appeal able to the Village Board.

- 1. State the section of the Village of Bayside Municipal Code for which you are requesting a special exception:.

Height of fence is 9'. Code appears to limit to 6'. Requesting additional height due to two properties. Fence will be on property that is lower than commercial parking lot.

- 2. Give a brief description of what you want to do and why.

Install fence/screening to screen rear yard at 711 E. Brown Deer Rd from NSFD Parking lot. Fence/screen is 9' in height and will run from the far southwest corner of 711. E Brown Deer Rd property for approximately 75 feet to the east along the property line.

- 3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacts the use of the property.

Seeking longer fence length than Code allows to provide sufficient screening from the NSFD Parking Lot. Also seeking 9' height of fence rather than 6' height limit by Code due to variances in elevation between the two properties.

- 4. State how the Special Exception requested, including any proposed restrictions, will be consistent with the existing character of the neighborhood; will not effectively undermine the application or enforcement of the Code to other properties; and will be in harmony with the purpose and intent of the Code.

The fence/screen can only be seen by the two properties and is consistent with other fences/screens shielding commercial parking lots in the Village.

Applicant Printed Name

Applicant Signature

Date

Robert Whitaker

ROBERT WHITAKER

8/20/23

**ARC Proposal by North Shore Fire Department
For 655 and 711 E. Brown Deer Rd.**

Product To Be Installed:



MCAMLIS Aerial

